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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/565,702

09/13/2006

Richard Martin

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2568

63572 7590 08/09/2011
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EXAMINER

COLEMAN, BRENDA LIBBY

ART UNIT

PAPER NUMBER

1624

MAIL DATE

DELIVERY MODE

08/09/2011

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

ADVISORY ACTION

Claims 1-46 and 48 are pending in the application.

The shortened statutory period for reply expires THREE MONTHS from the mailing date of the final rejection or as of the mailing date of this advisory action, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Any extension fee required pursuant to 37 CFR 1.17 will be calculated from the date that the shortened statutory period for reply expires as set forth above.

The amendment filed July 29, 2011 under 37 CFR 1.116 in response to the final rejection has been considered but is not deemed to place the application in condition for allowance and will not be entered because: the entry of the amendment would create new grounds of rejection.

The following are the rejections and/or objections which **would have been an issue had the amendment** been entered:

- a. Claim 7 includes the moieties $-C(S)OR^{14}$, $-C(O)SR^{14}$, $-C(O)N(R^{15})S(O)_2R^{23}$, $-C(O)N(R^{15})N=R^{16}$, $-C(O)N(R^{17})N(R^{15})R^{16}$ and $-C(O)N(R^{17})N(R^{15})S(O)_2R^{23}$ in the definition of R^1 which lacks antecedent basis to the claim to which it depends. (see page 9)
- b. Claim 16 contains a definition of the variable X where "X is", however there is nothing more in the claim.
- c. Claim 18 lacks antecedent basis where X is in the species is S.

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d. Claim 23 lacks antecedent basis where X is in the species is S.

The applicants are urged to review the claims for the above issues in any subsequent amendments.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BRENDA COLEMAN whose telephone number is (571)272-0665. The examiner can normally be reached on 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James O. Wilson can be reached on 571-272-0661. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Brenda L. Coleman/
Primary Examiner, Art Unit 1624